

ORIGINAL

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

2011 MAR 23 PM 1:45
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UNITED STATES OF AMERICA

§

v.

§

No.

§

PHILLIP SEAN ANTHONY

§

a/k/a "Michael Hale" and "Carlton Field"

§

§

3 - 11 CR 0074 - K

INDICTMENT

The Grand Jury charges:

Counts One - Three

Mail Fraud

[Violation of 18 U.S.C. § 1341]

Introduction

At all times material to this indictment:

1. Boxer Property Management Corporation managed several office and retail properties across the country. Post Office Box 4737 in Houston, Texas was the primary mailing address that Boxer Property Management Corporation used to accept rental payments from its commercial tenants.

2. Earth Class Mail Corporation was an online mail management company with its principal place of business located in Beaverton, Oregon. Earth Class Mail Corporation offered various services, including packaging and mail forwarding and virtual mail rooms.

Purpose of the Scheme and Artifice to Defraud

3. Beginning on or about May 10, 2009, and continuing through at least September 16, 2009, in the Dallas Division of the Northern District of Texas, and elsewhere, the defendant, **Phillip Sean Anthony, a/k/a “Michael Hale” and “Carlton Field,”** with the intent to defraud, did knowingly devise a scheme and artifice to defraud Boxer Property Management Corporation, and to obtain money and property from Boxer Property Management Corporation by means of materially false and fraudulent pretenses, representations and promises, by depositing and causing to be deposited any matter or thing for delivery through the United States Postal Service and private and commercial interstate carriers, for the purpose of executing and attempting to execute a scheme and artifice to defraud, in violation of 18 U.S.C. § 1341.

The Scheme and Artifice to Defraud

4. It was part of the scheme and artifice to defraud that on or about May 12, 2009, **Anthony** opened a mail forwarding account with Earth Class Mail Corporation (account number “ECM 32585”) using the alias Carlton Field.

5. It was further part of the scheme and artifice to defraud that on or about May 12, 2009, **Anthony** submitted an Official Mail Forwarding Change of Address Order, PS Form 3575, to the United States Postal Service, requesting that the mail from “PO Box 4737, Houston, Texas,” be forwarded to “PO Box 3109, Suite 32585, Houston, Texas.” Post Office Box 4737 in Houston was the primary mailing address that Boxer

Property Management Corporation used to accept rental payments from its tenants. Post Office Box 3109 in Houston belonged to Earth Class Mail Corporation.

6. It was further part of the scheme and artifice to defraud that between May 12, 2009, and September 16, 2009, **Anthony** caused more than 700 rental checks made payable to Boxer Property Management Corporation to be diverted from PO Box 4737 to PO Box 3109.

7. It was further part of the scheme and artifice to defraud that between May 12, 2009, and September 16, 2009, **Anthony** caused the rental checks addressed to Boxer Property Management Corporation that had been fraudulently diverted to PO Box 3109 in Houston, to be mailed to his Earth Class Mail Corporation account in Beaverton, Oregon.

8. It was further part of the scheme and artifice to defraud that on or about June 16, 2009, **Anthony** leased office space using the alias Michael Hale. The office space was locate at Suite 221, 2300 Valley View Lane, Irving, Texas.

9. It was further part of the scheme and artifice to defraud that between June 25, 2009, and September 5, 2009, **Anthony** caused Earth Class Mail Corporation to bundle the mail that had been fraudulently diverted to his account and then forward it from Beaverton, Oregon, to his office in Irving, Texas, through the United States Postal Service and Federal Express.

10. It was further part of the scheme and artifice to defraud that upon receiving the mail addressed to Boxer Property Management Corporation, **Anthony** opened the rental checks and then sold them to an individual unknown to the Grand Jury.

Execution of the Scheme and Artifice to Defraud

11. On or about the dates listed below, **Anthony**, for the purpose of executing and attempting to execute the above-described scheme and artifice to defraud, and to obtain money by means of materially false and fraudulent pretenses, representations and promises, knowingly and with the intent to defraud, caused to be delivered as set forth below, envelopes and packages addressed to Suite 221, 2300 Valley View Lane in Irving, Texas, which contained rental payments made payable to Boxer Property Management Corporation, as set out in each Count below:

Count	Date	Carrier	Description
One	June 25, 2009	United States Postal Service	A bundled parcel containing rental checks belonging to Boxer Property Management Corporation sent from Beaverton, Oregon to Irving, Texas
Two	July 8, 2009	United States Postal Service	A bundled parcel containing rental checks belonging to Boxer Property Management Corporation sent from Beaverton, Oregon to Irving, Texas
Three	July 21, 2009	Federal Express	A bundled parcel containing rental checks belonging to Boxer Property Management Corporation sent from Beaverton, Oregon to Irving, Texas

In violation of 18 U.S.C. § 1341.

Counts Four - Five
Mail Fraud
[Violation of 18 U.S.C. § 1341]

Introduction

At all times material to this indictment:

1. Craigslist was a centralized network of online communities featuring free online classified advertisements in more than 700 local sites worldwide – with sections devoted to several categories, including jobs, housing, and services.

Purpose of the Scheme and Artifice to Defraud

2. Beginning on or about June 15, 2008, and continuing through at least December 2, 2009, in the Dallas Division of the Northern District of Texas, and elsewhere, the defendant, **Phillip Sean Anthony, a/k/a “Michael Hale” and “Carlton Field,”** with the intent to defraud, did knowingly devise a scheme and artifice to defraud various online wireless service and device providers, and to obtain money and property from these online wireless service and device providers by means of materially false and fraudulent pretenses, representations and promises, by depositing and causing to be deposited any matter or thing for delivery through the United States Postal Service and private and commercial interstate carriers, for the purpose of executing and attempting to execute a scheme and artifice to defraud, in violation of 18 U.S.C. § 1341.

The Scheme and Artifice to Defraud

3. It was part of the scheme and artifice to defraud that between June 15, 2008, and November 14, 2009, **Anthony** placed dozens of false job postings on Craigslist on various local sites throughout the United States. **Anthony** usually placed false job postings for customer service representative and reservation agent positions with various airlines. **Anthony** placed the ads on the local Craigslist site where the airline was based, including ads in Chicago, Illinois for United Airlines; Orlando, Florida for AirTran Airways; and New York, New York for JetBlue Airways.

4. It was further part of the scheme and artifice to defraud that the prospective applicants would respond to the Craigslist job posting by contacting **Anthony** at the phone number or email address provided in the posting. **Anthony** would claim to be a representative of the respective airline-employer when he communicated with the applicants.

5. It was further part of the scheme and artifice to defraud that **Anthony** would explain the application process and then forward each applicant a job application, which was on the respective company's letterhead and appeared authentic.

6. It was further part of the scheme and artifice to defraud that the prospective applicants would complete the applications, providing detailed information including name, date of birth, social security number, address, and work history, and then return the completed application to **Anthony**.

7. It was further part of the scheme and artifice to defraud that **Anthony** would use this information to open accounts with various online wireless service and device providers such as LetsTalk.com, Simplexity.com, and Wirefly.com. **Anthony** usually purchased activated smartphones such as Apple iPhones and BlackBerry Curves from these online retailers using the stolen identities he obtained from the fraudulent job applications.

8. It was further part of the scheme and artifice to defraud that **Anthony** would normally purchase Green Dot prepaid debit cards and register them in the names of the stolen identities after loading a nominal amount of funds onto each card.

9. It was further part of the scheme and artifice to defraud that **Anthony** would use these Green Dot debit cards to reserve hotel rooms throughout the country in the names of the stolen identities. **Anthony** would provide the hotel address as the residential address to the online phone retailer and instruct them to send the fraudulently obtained phones to that address. Once the phones were shipped, **Anthony** would usually call the hotel and cancel the reservation. He would explain to the hotel representative that he was expecting a package and he would instruct the hotel to forward the package to his office in Irving, Texas.

10. It was further part of the scheme and artifice to defraud that once **Anthony** received the fraudulently obtained phones, he would sell them for a fraction of their value.

Execution of the Scheme and Artifice to Defraud

11. On or about the dates listed below, **Anthony**, for the purpose of executing and attempting to execute the above-described scheme and artifice to defraud, and to obtain money by means of materially false and fraudulent pretenses, representations and promises, knowingly and with the intent to defraud, caused to be delivered as set forth below, envelopes and packages addressed to his office at 2300 Valley View Lane, Suite 221, in Irving, Texas, which contained fraudulently obtained wireless telephones, as set out in each Count below:

Count	Date	Carrier	Description
Four	November 24, 2009	United States Postal Service	One package containing seven activated Blackberry phones fraudulently purchased from Wirefly.com in the name of "C. B," sent from Cosa Mesa, California to Irving, Texas
Five	December 1, 2009	Federal Express	One package containing two activated Blackberry phones fraudulently purchased from LetsTalk.com in the name of "G. S," sent from Boston, Massachusetts to Irving, Texas

In violation of 18 U.S.C. § 1341.

Count Six
Aggravated Identity Theft
(Violation of 18 U.S.C. § 1028A)

Beginning on or about November 10, 2009, and continuing until on or about December 2, 2009, in the Northern District of Texas, and elsewhere, the defendant, **Phillip Sean Anthony, a/k/a “Michael Hale” and “Carlton Field,”** did knowingly possess, transfer, and use, without lawful authority, a means of identification of another person, to wit: the name (C. B.) and social security number (XXX-XX-XX41) belonging to “C. B.,” another person, during and in relation to a violation of 18 U.S.C. § 1341, Mail Fraud, a felony violation enumerated in 18 U.S.C. § 1028A(c)(5), as alleged in Count Four of the indictment.

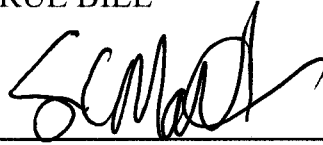
In violation of 18 U.S.C. § 1028A.

Count Seven
Aggravated Identity Theft
(Violation of 18 U.S.C. § 1028A)

Beginning on or about November 14, 2009, and continuing until on or about December 2, 2009, in the Northern District of Texas, and elsewhere, the defendant, **Phillip Sean Anthony, a/k/a “Michael Hale” and “Carlton Field,”** did knowingly possess, transfer, and use, without lawful authority, a means of identification of another person, to wit: the name (G. S.) and social security number (XXX-XX-XX91) belonging to “G. S.,” another person, during and in relation to a violation of 18 U.S.C. § 1341, Mail Fraud, a felony violation enumerated in 18 U.S.C. § 1028A(c)(5), as alleged in Count Five of the indictment.

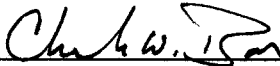
In violation of 18 U.S.C. § 1028A.

A TRUE BILL



FOREPERSON

JAMES T. JACKS
UNITED STATES ATTORNEY



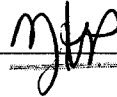
CHARLES W. BROWN
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Dallas, Texas 75242-1699
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
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DEPUTY CLERK



THE UNITED STATES OF AMERICA

v.

3 - 11 CR0074 - K

PHILLIP SEAN ANTHONY
a/k/a "Michael Hale" and "Carlton Field"

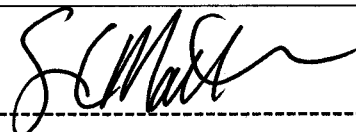
INDICTMENT

18 U.S.C. § 1341
Mail Fraud

18 U.S.C. §1028A
Aggravated Identity Theft

7 Counts

A true bill rendered



DALLAS

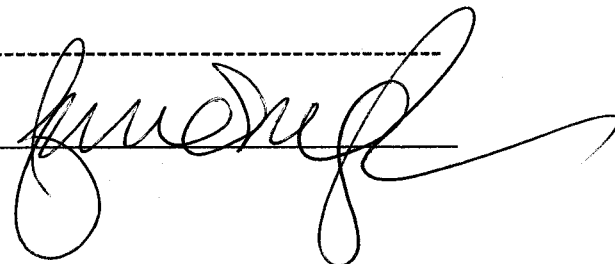
FOREPERSON

Filed in open court this 23 day of March, A.D., 2011.

Clerk

WARRANT TO ISSUE.

UNITED STATES DISTRICT/MAGISTRATE JUDGE
No Magistrate Case Pending:



3-11-CR0074-K

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS**

Related Case Information

Superseding Indictment: ☐ Yes ☒ No New Defendant: ☒ Yes ☐ No
Pending CR Case in NDTX: ☐ Yes ☒ No If Yes, number:
Search Warrant Case Number _____
R 20 from District of _____
Magistrate Case Number: _____

ORIGINAL

1. Defendant Information

Juvenile: ☐ Yes ☒ No

If Yes, Matter to be sealed:

☐ Yes ☐ No

Defendant Name

PHILLIP SEAN ANTHONY

Alias Name

"Michael Hale"; "Carlton Field"

Address

County in which offense was committed:

Dallas, Texas

BY

MAR 23 2011

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

2. U.S. Attorney Information

AUSA CHARLES W. BROWN

Oklahoma State Bar # 20168

3. Interpreter

☐ Yes ☒ No If Yes, list language and/or dialect:

4. Location Status WARRANT TO ISSUE

Arrest Date -

☐ Already in Federal Custody
☐ Already in State Custody
☐ On Pretrial Release

5. U.S.C. Citations

Total # of Counts as to This Defendant: **7**

☐ Petty ☐ Misdemeanor ☒ Felony

Citation	Description of Offense Charged	Count(s)
18 U.S.C. § 1341	Mail Fraud	1-5
18 U.S.C. § 1028A	Aggravated Identity Theft	6-7

Date: March 1, 2011

Signature of AUSA:

Charles W. Brown

CHARLES W. BROWN